

U.S. Patent Application Serial No. 10/516,949  
Amendment filed July 3, 2008  
Reply to OA dated April 7, 2008

**REMARKS**

Claims 1-16 are pending in this application. Claims 2 and 10 are canceled without prejudice or disclaimer, and claims 1, 3-5, 9 and 11-13 are amended herein. Upon entry of this amendment, claims 1, 3-9 and 11-16 will be pending. Entry of this amendment and reconsideration of the rejections are respectfully requested.

No new matter has been introduced by this Amendment. Support for the amendments to the claims is detailed below.

**Claims 1-5, 7, 9-13, and 15 are rejected under 35 U.S.C. §102(b) as being anticipated by JP 2000-183010 A. (Office action paragraph no. 2)**

The rejection is overcome by the amendments to the claims.

The Examiner cites the elements of the reference as corresponding to the claimed elements, as follows:

<u>Claims</u>	<u>Reference</u>
Substrate holding unit	Spin chuck 11
Substrate	Substrate W
Substrate spinning unit	Unspecified. Presumably, motor 12
Treatment solution supply unit	nozzles 14a, b
Treatment solution collection unit	Unspecified.
Treatment solution collection tanks	Cups 15, 16

In JP 2000-183010A, as may be seen in Figs. 4 and 5, when chemical solution and rinse solution, corresponding to a plurality of treatment solutions, are respectively recovered by a chemical

U.S. Patent Application Serial No. 10/516,949  
Amendment filed July 3, 2008  
Reply to OA dated April 7, 2008

solution recovering cup (15) and a rinse solution recovering cup (16), **only an intermediate cup wall (30) is driven up and down.**

However, claims 1 and 9 have been amended to recite: “wherein said treatment solution collection unit has a plurality of fences which sets each collection tank in said plurality of correction tanks, and when said plurality of treatment solutions is collected respectively by corresponding said each collection tank, said plurality of fences is respectively driven upwards to form a conduit of said each collection tank which separately collects by kind said plurality of treatment solutions.”

Support for the amendments to claims 1 and 9 may be found in original claims 2 and 10, respectively, and in Figs. 6-9 of the present application. (Claims 3-5 and 11-13 are amended for consistency and proper dependency.) Specifically, in Figs. 6-9 of the application, collection tanks (16 to 19) are provided which each separately collect by kind a first chemical solution to a fourth chemical solution corresponding to a plurality of treatment solutions. When the first chemical solution to the fourth chemical solution are collected respectively by corresponding each collection tank (16 to 19), **a plurality of fences (3a to 3d), which sets the each collection tank, is respectively driven upwards to form a conduit of the each collection tank.**

That is, when a plurality of treatment solutions is separately collected respectively by corresponding each collection tank, **only an intermediate cup wall (30) is driven** in JP 2000-183010A. This is different from the invention in the present application in the point that **the plurality of fences which sets each collection tank, is driven.**

U.S. Patent Application Serial No. **10/516,949**  
Amendment filed July 3, 2008  
Reply to OA dated April 7, 2008

Besides, in JP 2000-183010A, only the intermediate cup wall (30) is driven **up and down** to separately collect two kinds of treatment solutions. Thus, this reference is further different from the present claims in the point that the plurality of fences is respectively driven upwards to collect.

Accordingly, JP 2000-183010A does not disclose the feature in the present application, “when a plurality of treatment solutions are collected respectively by corresponding each collection tank, **a plurality of fences, which sets the each collection tank, is respectively driven upwards** to form a conduit of the each collection tank.” The claims, as amended, are not anticipated by JP 2000-183010A.

**Claims 1-5, 7, 9-13, and 15 are rejected under 35 U.S.C. §102(b) as being anticipated by JP 11-309404 A.** (Office action paragraph no. 3)

The rejection is overcome by the amendments to the claims.

The Examiner states that the reference discloses substrate holding unit 14, substrate 17, a substrate spinning unit, treatment solution supply unit 18 and 19, and a treatment solution collection unit having collection tanks 26 and 27, and that the operation of the unit meets the limitations of claims 1 and 9.

As can be seen in claim 2 of JP 11-309404A, and more concretely, as described in Figs. 1 and 2 of the reference, when chemical solution and pure water, corresponding to a plurality of

U.S. Patent Application Serial No. 10/516,949  
Amendment filed July 3, 2008  
Reply to OA dated April 7, 2008

treatment solutions, are respectively recovered by a first recovery chamber (28) and a second recovery chamber (29), **only a separation plate (41) is driven up and down.**

However, as explained above, claims 1 and 9 have been amended to recite: “wherein said treatment solution collection unit has a plurality of fences which sets each collection tank in said plurality of correction tanks, and when said plurality of treatment solutions is collected respectively by corresponding said each collection tank, said plurality of fences is respectively driven upwards to form a conduit of said each collection tank which separately collects by kind said plurality of treatment solutions.”

That is, when a plurality of treatment solutions is separately collected respectively by corresponding each collection tank, only separation plate (41) is driven in JP11-309404A. This is different from the invention in the present application in the point that **the plurality of fences which sets each collection tank, is driven.**

Besides, in JP11-309404A, only the separation plate (41) is driven **up and down** to separately collect two kinds of treatment solutions. Thus, this reference is different from the invention in the present application in the point that **the plurality of fences is respectively driven upwards to collect.**

Accordingly, JP11-309404A does not disclose the feature in the present application, “when a plurality of treatment solutions are collected respectively by corresponding each collection tank, **a plurality of fences, which sets the each collection tank, is respectively driven upwards to form**

U.S. Patent Application Serial No. 10/516,949  
Amendment filed July 3, 2008  
Reply to OA dated April 7, 2008

a conduit of the each collection tank.” The claims, as amended, are not anticipated by JP11-309404A.

**Claims 6, 8, 14 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 2000-183010 A.** (Office action paragraph no. 5)

**Claims 8 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 11-309404 A.** (Office action paragraph no. 6)

**Claims 6 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 11-309404 A as applied to claims 1 and 9 above, and further in view of JP 2000-183010 A.** (Office action paragraph no. 7)

The rejections are overcome by the amendments to the claims.

As explained above, base claims 1 and 9 have each been amended to recite: “wherein said treatment solution collection unit has a plurality of fences which sets each collection tank in said plurality of correction tanks, and when said plurality of treatment solutions is collected respectively by corresponding said each collection tank, said plurality of fences is respectively driven upwards to form a conduit of said each collection tank which separately collects by kind said plurality of treatment solutions.”

As discussed above, neither JP 2000-183010A nor JP 11-309404A discloses this limitation of the present claims. Given the specific structural disclosures in these references, neither reference

U.S. Patent Application Serial No. **10/516,949**  
Amendment filed July 3, 2008  
Reply to OA dated April 7, 2008

provides any suggestion or motivation for this limitation of the present claims. Claims 6, 8, 14 and 16 are therefore not obvious over JP 2000-183010A and JP 11-309404A, taken separately or in combination.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP



Daniel A. Geselowitz, Ph.D.  
Agent for Applicants  
Reg. No. 42,573

DAG/xl

Atty. Docket No. **040667**  
Suite 400  
1420 K Street, N.W.  
Washington, D.C. 20005  
(202) 659-2930



**23850**

PATENT & TRADEMARK OFFICE